

PROB 12C
(7/93)Report Date: May 19, 2014
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**United States District Court**

for the

Eastern District of Washington**MAY 28 2014**SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Nehemiah William Fowlkes

Case Number: 0980 2:08CR00096-RHW-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: December 11, 2008

Original Offense: Distribution of 5 Grams or More of a Mixture or Substance Containing Cocaine Base,
in the form of Crack Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(iii)Original Sentence: Custody - 100 months; Type of Supervision: Supervised Release
TSR - 48 months

Asst. U.S. Attorney: Aine Ahmed

Date Supervision Commenced: November 20, 2013

Defense Attorney: Federal Defenders Office

Date Supervision Expires: November 19, 2017

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.</p> <p><u>Supporting Evidence:</u> On April 12, 2014, Nehemiah Fowlkes was arrested by the Washington State Patrol for the offense of driving a motor vehicle while under the influence of alcohol. At this time, the charges are pending in Spokane County District Court.</p>
2	<p><u>Standard Condition # 7:</u> The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</p> <p><u>Supporting Evidence:</u> On April 13, 2014, Nehemiah Fowlkes submitted to a blood alcohol content breath test which yielded positive findings of .209 and .200 BAC.</p>

Prob12C

Re: Fowlkes, Nehemiah William

May 19, 2014

Page 2

3 **Special Condition # 18:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: On April 12, 2014, Mr. Fowlkes was contacted by a Washington State Patrol trooper. Immediately up contacting Mr. Fowlkes, a strong order of intoxicants was emanating from the vehicle. After failing multiple field sobriety tests, Mr. Fowlkes submitted to a blood alcohol content test, which yielded positive findings for alcohol.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/19/2014

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

5/28/2014

Date